

_____ BILL NO. _____

INTRODUCED BY _____
(Primary Sponsor)

A BILL FOR AN ACT ENTITLED: "AN ACT ADDING 50 CENTS TO VEHICLE REGISTRATION FEES FOR PURPOSES OF FUNDING CHILD SAFETY RESTRAINT SYSTEM PROGRAMS THROUGH LOCAL DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES OFFICES; ESTABLISHING AN ACCOUNT IN THE STATE SPECIAL REVENUE FUND FOR DEPOSIT OF THE REVENUE FROM THE FEE; AMENDING SECTIONS 61-3-321 AND 61-3-562, MCA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Child safety restraint account -- use.** (1) There is a child safety restraint account in the state special revenue fund. Money must be deposited in the account pursuant to 61-3-321(12)(a).

(2) Money in the account must be used by the department of public health and human services for the purposes of purchasing child safety restraint systems and establishing a program for giving those systems to qualified applicants through local department offices.

(3) The program must provide to recipients of the child safety restraint systems demonstrations of the proper use of the systems and must emphasize the importance of properly restraining children in motor vehicles.

Section 2. Section 61-3-321, MCA, is amended to read:

"61-3-321. Registration fees of vehicles -- certain vehicles exempt from registration fees -- disposition of fees. (1) Except as otherwise provided in this section, registration fees must be paid upon registration or, if applicable, reregistration of motor vehicles, trailers, and semitrailers, in accordance with this chapter, as follows:

(a) light vehicles under 2,850 pounds, \$13.75 in calendar year 2004 and, in each subsequent year, \$17;

(b) trailers with a declared weight of less than 2,500 pounds and semitrailers, \$8.25. For a trailer or semitrailer described in 61-3-530(1), this fee is a one-time fee, except upon transfer of ownership of the trailer or semitrailer.

(c) motor vehicles registered pursuant to 61-3-411 that are:

(i) 2,850 pounds and over, \$10; and

1 (ii) under 2,850 pounds, \$5;

2 (d) off-highway vehicles registered pursuant to 23-2-817, \$9 in calendar year 2004 and, in each
3 subsequent year, \$19.25. This fee is a one-time fee, except upon transfer of ownership of an off-highway
4 vehicle.

5 (e) light vehicles over 2,850 pounds, trucks and buses less than 1 ton, and heavy trucks in excess of
6 1 ton, \$18.75 in calendar year 2004 and, in each subsequent year, \$22;

7 (f) logging trucks less than 1 ton, \$23.75;

8 (g) motor homes, \$22.25;

9 (h) motorcycles and quadricycles, \$9.75 for a motorcycle or quadricycle with special license plates
10 issued under 61-3-415 and, for a motorcycle or quadricycle under one-time registration, \$9.75 in calendar year
11 2004 and, in each subsequent year, \$11.25. This fee is a one-time fee, except upon transfer of ownership of a
12 motorcycle or quadricycle.

13 (i) trailers and semitrailers between 2,500 and 6,000 pounds, \$11.25. For a trailer or semitrailer
14 described in 61-3-530(1), this fee is a one-time fee, except upon transfer of ownership of the trailer or semitrailer.

15 (j) trailers and semitrailers in excess of 6,000 pounds, other than trailers and semitrailers registered in
16 other jurisdictions and registered through a proportional registration agreement, \$16.25. For a trailer or
17 semitrailer described in 61-3-530(1), this fee is a one-time fee, except upon transfer of ownership of the trailer
18 or semitrailer.

19 (k) travel trailers, \$11.75. This fee is a one-time fee, except upon transfer of ownership of a travel trailer.

20 (l) recreational vehicles, \$3.50 in calendar year 2004 and, in each subsequent year, \$9.75. If the
21 recreational vehicle is a travel trailer, this fee is a one-time fee, except upon transfer of ownership of a travel
22 trailer.

23 (2) (a) Except as provided in subsection (2)(b), if a motor vehicle, trailer, or semitrailer is originally
24 registered 6 months after the time of registration as set by law, the registration fee for the remainder of the year
25 is one-half of the regular fee.

26 (b) For a trailer or semitrailer described in 61-3-530(1), the applicable fees must be paid regardless of
27 when the fees were last paid or if the fees were paid at all.

28 (3) An additional fee of \$5 for a motorcycle or quadricycle with special license plates issued under
29 61-3-415 and, for a motorcycle or quadricycle under one-time registration, \$5 in calendar year 2004 and, in each
30 subsequent year, \$16 must be collected for the registration of each motorcycle as a safety fee and must be

1 deposited in the state motorcycle safety account provided for in 20-25-1002.

2 (4) A fee of \$5 for each set of new number plates must be collected when number plates provided for
3 under 61-3-332(2) are issued.

4 (5) The provisions of this part with respect to the payment of registration fees do not apply to and are
5 not binding upon motor vehicles, trailers, semitrailers, or tractors owned or controlled by the United States of
6 America or any state, county, city, or special district, as defined in 18-8-202.

7 (6) (a) Except as provided in 61-3-562 and subsection (6)(b) of this section, a fee of 25 cents a year for
8 each registration of a vehicle must be collected when a vehicle is registered or reregistered. The revenue
9 derived from this fee must be forwarded by the county treasurer for deposit in the state general fund for transfer
10 to the credit of the senior citizens and persons with disabilities transportation services account provided for in
11 7-14-112.

12 (b) The following vehicles are not subject to the fee imposed in subsection (6)(a):

13 (i) trailers and semitrailers registered in other jurisdictions and registered through a proportional
14 registration agreement; and

15 (ii) travel trailers, recreational vehicles, and off-highway vehicles registered pursuant to 23-2-817.

16 (7) (a) Except as provided in 61-3-562 and subsection (7)(b) of this section, a fee of 50 cents a year for
17 each registration of a vehicle must be collected when a vehicle is registered or reregistered. The county
18 treasurer shall forward revenue derived from this fee to the state for deposit in the general fund.

19 (b) The following vehicles are not subject to the fee:

20 (i) trailers and semitrailers registered in other jurisdictions and registered through a proportional
21 registration agreement;

22 (ii) off-highway vehicles registered pursuant to 23-2-817; and

23 (iii) vehicles bearing license plates described in 61-3-458(3)(d).

24 (8) The provisions of this section relating to the payment of registration fees or new number plate fees
25 do not apply when number plates are transferred to a replacement vehicle under 61-3-317, 61-3-332, or
26 61-3-335.

27 (9) A person eligible for a waiver under 61-3-460 is exempt from the fees required under this section.

28 (10) Except as otherwise provided in this section, revenue collected under this section must be
29 deposited in the state general fund.

30 (11) (a) Unless a person exercises the option in subsection (11)(b), an additional fee of \$4 must be

collected for each light vehicle or truck under 8,001 pounds GVW registered for licensing pursuant to this part. The fee must be deposited in the state general fund to be used for state parks, for fishing access sites, and for the operation of state-owned facilities as provided in 15-1-122(3)(c)(vii).

(b) A person who registers a light vehicle or truck under 8,001 pounds GVW may, at the time of annual registration, certify that the person does not intend to use state parks and fishing access sites and may make a written election not to pay the additional \$4 fee provided for in subsection (11)(a). If a written election is made, the fee may not be collected.

(12) (a) Except as provided in 61-3-562 and subsection (12)(b) of this section, a fee of 50 cents a year for each registration of a vehicle must be collected when a vehicle is registered or reregistered. The revenue derived from this fee must be forwarded by the county treasurer to the department of revenue for deposit in the child safety restraint account established as provided in [section 1].

(b) The following vehicles are not subject to the fee imposed in subsection (12)(a):

(i) trailers and semitrailers registered in other jurisdictions and registered through a proportional registration agreement; and

(ii) travel trailers, recreational vehicles, and off-highway vehicles registered pursuant to 23-2-817."

Section 3. Section 61-3-562, MCA, is amended to read:

"61-3-562. Permanent registration -- transfer of vehicle ownership -- rules. (1) (a) Except as provided in subsection (1)(c), the owner of a light vehicle 11 years old or older subject to the registration fee, as provided in 61-3-561, may permanently register the vehicle upon payment of a \$50 registration fee, the applicable registration and license fees under 61-3-321 and 61-3-412, and an amount equal to five times the applicable fees imposed for each of the following:

(i) junk vehicle disposal fees under 15-1-122(3)(a);

(ii) weed control fees under 15-1-122(3)(b);

(iii) the former county motor vehicle computer fees under 61-3-511;

(iv) the local option vehicle tax or flat fee on vehicles under 61-3-537;

(v) if applicable, special license plate fees under 61-3-332 and renewal fees for personalized plates under 61-3-406; ~~and~~

(vi) senior citizens and persons with disabilities transportation services fees as provided in 61-3-321(6); and

1 (vii) child safety restraint system fees as provided in 61-3-321(12).

2 (b) A person who permanently registers a vehicle as provided in subsection (1)(a) shall pay an
3 additional \$2 fee at the time of registration for deposit in the state general fund. The department shall pay from
4 the general fund an amount equal to the \$2 fee collected under this subsection (1)(b) from each motor vehicle
5 registration to the pension trust fund for payment of supplemental benefits provided for in 19-6-709.

6 (c) The following series of license plates may not be used for purposes of permanent registration of a
7 vehicle:

8 (i) Montana national guard license plates issued under 61-3-458(2)(b);

9 (ii) reserve armed forces license plates issued under 61-3-458(2)(c);

10 (iii) license plates bearing a wheelchair design as a symbol of a person with a disability issued under
11 61-3-332(11);

12 (iv) amateur radio operator license plates issued under 61-3-422;

13 (v) collegiate license plates issued under 61-3-465; and

14 (vi) generic specialty license plates issued under 61-3-479.

15 (2) In addition to the fees described in subsection (1), an owner of a truck with a manufacturer's rated
16 capacity of 1 ton or less that is permanently registered shall pay five times the applicable fees imposed under
17 61-10-201.

18 (3) The owner of a vehicle that is permanently registered under this section is not subject to additional
19 fees under 61-3-561 or to other motor vehicle registration fees described in this section for as long as the owner
20 owns the vehicle.

21 (4) The county treasurer shall:

22 (a) distribute the \$50 registration fee collected under this section as provided in 61-3-509;

23 (b) once each month, remit to the department of revenue the amounts collected under this section, other
24 than the local option vehicle tax or flat fee, for the purposes of 61-3-321(3), 61-3-321(12), and 61-10-201. The
25 county treasurer shall retain the local option vehicle tax or flat fee.

26 (5) (a) The permanent registration of a vehicle allowed by this section may not be transferred to a new
27 owner. If the vehicle is transferred to a new owner, the department shall cancel the vehicle's permanent
28 registration.

29 (b) Upon transfer of a vehicle registered under this section to a new owner, the new owner shall apply
30 for a certificate of title under 61-3-201 and file an application for registration under 61-3-303. (Subsection (1)(b))

1 terminates on occurrence of contingency--sec. 24, Ch. 191, L. 2001.)"

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3 NEW SECTION. **Section 4. Codification instruction.** [Section 1] is intended to be codified as an
4 integral part of Title 52, chapter 2, and the provisions of Title 52, chapter 2, apply to [section 1].

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6 NEW SECTION. **Section 5. Effective date.** [This act] is effective January 1, 2006.

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